

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ENERRA CORPORATION,

Plaintiff,

vs.

CONTI GROUP LLC, PLASTIKGAS LLC,  
ROBERTO CONTI, JULIE CONTI, JORDAN  
CONTI,

Defendants.

Civil Action No. 3:23-cv-00194-L

CONTI GROUP, LLC,

Counter-Plaintiff,

vs.

ENERRA CORPORATION, SERGIO PEREZ,  
MARK MILLS AND MICHAEL BROWN,

Third-Party  
Defendants.

**AGREED MOTION FOR EXTENSION OF TIME TO CONDUCT  
JURISDICTIONAL DISCOVERY**

Counter-Plaintiff, Conti Group, LLC, (hereinafter “**Counter-Plaintiff**”), and Third-Party Defendants, (hereinafter “**Third-Party Defendants**”), hereby file this *Agreed Motion for Extension of Time to Conduct Jurisdictional Discovery*, for the following good cause.

1. On August 10, 2023, the Magistrate granted Counter-Plaintiff’s request to conduct jurisdictional discovery, allowing for (1) room to file a motion raising a dispute by November 1, 2023, (2) discovery through November 8, 2023, (3) a sur-reply by November 29, 2023, and (4) a sur-sur-reply by December 13, 2023. [Doc. 49].

2. Immediately following the Magistrate’s order, undersigned Counsel, Carey R. McNair, contracted a severe, extended case of covid; subsequently, undersigned Counsel’s immediate family also contracted covid. Additionally, during this time, one of undersigned

Counsel's children suffered a broken bone that required surgical repair.

3. On September 8, 2023, discovery requests were served on Third-Party Defendants, who have requested additional time to respond to Counter-Plaintiff's requests.

4. Counsel for Counter-Plaintiff and Third-Party Defendants have reviewed the Court's Order [Doc. 49] and are working together to ensure proper time is given to adequately respond to requests. As such, Counter-Plaintiff and Third-Party Defendants request an extension of this Magistrate's Order. [Doc. 49] FRCP 6(b) allows this extension for good cause.

5. Counter-Plaintiff and Third-Party Defendants request an extension of time to conduct jurisdictional discovery by sixty days resulting in the following change to the Magistrate's Order [Doc. 49]:

All jurisdictional discovery must be completed by **January 8, 2024**, and any motion raising a dispute that may arise regarding this jurisdictional discovery must be filed by **January 2, 2024**. Counter-Plaintiff Conti Group, LLC must file any sur-reply to the Motion to Dismiss, based on the results of these discovery efforts, by **January 29, 2024**, and Counter-Defendants must file any sur-sur-reply by **February 12, 2024**.

6. No deadlines in this Court's Scheduling Order [Doc. 33] would be affected by this request.

7. Good cause has been presented to request an extension as undersigned Counsel contracted a severe, extended case of covid during the time frame provided by the Magistrate, as undersigned Counsel's immediate family contracted covid, and as undersigned's child underwent a surgical repair to a broken bone.

8. Third-Party Defendants need additional time to respond to Counter-Plaintiff's discovery requests, and Counter-Plaintiff needs time to review documents provided by the Third-Party Defendants.

9. This is the first request for an extension of time regarding this deadline.

10. This request is filed in good faith and not in an effort to delay these proceedings.

11. No party will suffer any prejudice with this request.

For these reasons, good cause exists for this Court to grant this Motion and to extend the

deadline for jurisdictional discovery.

Dated: October 5, 2023

Respectfully submitted,  
CRM LAW PLLC

By: /s/ Carey R. McNair  
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(B) COUNTER-PLAINTIFF CONTI GROUP,  
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**ATTORNEYS FOR THIRD-PARTY**

**DEFENDANTS SERGIO PEREZ, MICHAEL**

**BROWN, AND MARK MILLS**

**CERTIFICATE OF CONFERENCE**

Carey R. McNair has conferred with attorneys for the Third-Party Defendant Individuals regarding the merits of this Motion.

By: /s/ Carey R. McNair

Carey R. McNair

**CERTIFICATE OF SERVICE**

I certify that all attorneys deemed to accept service of the above-referenced document electronically, which includes all attorneys entitled to receive service of the above-referenced document, will be notified via the Court's CM/ECF system on today's date, October 5, 2023.

By: /s/ Carey R. McNair

Carey R. McNair